

|                                                                                       | Percent |
|---------------------------------------------------------------------------------------|---------|
| Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere ..... | 4.000   |
| Non-Profit Organizations Without Credit Available Elsewhere .....                     | 3.000   |

The number assigned to this disaster for physical damage is 122668 and for economic injury is 122670.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Roger B. Garland,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2010-19636 Filed 8-9-10; 8:45 am]

**BILLING CODE 8025-01-P**

## **SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #12236 and #12237]**

### **Wyoming Disaster Number WY-00014**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Amendment 1.

**SUMMARY:** This is an amendment of the Presidential declaration of a major disaster for Public Assistance Only for the State of Wyoming (FEMA-1923-DR), dated 07/14/2010.

*Incident:* Flooding.

*Incident Period:* 06/04/2010 through 06/18/2010.

**DATES:** *Effective Date:* 08/04/2010.

*Physical Loan Application Deadline Date:* 09/13/2010.

*Economic Injury (EIDL) Loan Application Deadline Date:* 04/14/2011.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** The notice of the President's major disaster

declaration for Private Non-Profit organizations in the State of Wyoming, dated 07/14/2010, is hereby amended to include the following areas as adversely affected by the disaster.

*Primary Counties:* Platte.

All other information in the original declaration remains unchanged.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

**Roger B. Garland,**

*Acting Associate Administrator for Disaster Assistance.*

[FR Doc. 2010-19708 Filed 8-9-10; 8:45 am]

**BILLING CODE 8025-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

**[Release No. 34-62625; File No. SR-NYSEArca-2010-70]**

### **Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Adding 75 Options Classes to the Penny Pilot Program**

August 2, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 20, 2010, NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### **I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change**

The Exchange proposes to designate 75 options classes to be added to the Penny Pilot Program for Options ("Penny Pilot" or "Pilot") on August 2, 2010. The text of the proposed rule

change is attached as Exhibit 5 to the 19b-4 form.<sup>3</sup> A copy of this filing is available on the Exchange's Web site at <http://www.nyse.com>, at the Exchange's principal office, and at the Commission's Public Reference Room.

#### **II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change**

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

##### *A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change*

###### **1. Purpose**

NYSE Arca proposes to identify the next 75 options classes to be added to the Penny Pilot effective August 2, 2010. The Exchange recently received approval to extend and expand the Pilot through December 31, 2010.<sup>4</sup> In that filing, the Exchange had proposed expanding the Pilot on a quarterly basis to add the next 75 most actively traded multiply listed options classes based on national average daily volume for the six months prior to selection, closing under \$200 per share on the Expiration Friday prior to expansion, except that the month immediately preceding their addition to the Penny Pilot will not be used for the purpose of the six month analysis.<sup>5</sup>

NYSE Arca proposes adding the following 75 options classes to the Penny Pilot on August 2, 2010, based on national average daily volume from January 1, 2010 through June 30, 2010:

| Nat'l ranking | Symbol     | Security name                        | Nat'l ranking | Symbol    | Security name                  |
|---------------|------------|--------------------------------------|---------------|-----------|--------------------------------|
| 199 .....     | MBI .....  | MBIA Inc .....                       | 316           | CB .....  | Chubb Corp.                    |
| 205 .....     | MA .....   | Mastercard Inc .....                 | 320           | ADM ..... | Archer-Daniels-Midland Co.     |
| 224 .....     | ATPG ..... | ATP Oil & Gas Corp/United States ... | 322           | HSY ..... | Hershey Co/The.                |
| 226 .....     | YUM .....  | Yum! Brands Inc .....                | 323           | TXT ..... | Textron Inc.                   |
| 232 .....     | RCL .....  | Royal Caribbean Cruises Ltd .....    | 324           | GGP ..... | General Growth Properties Inc. |

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> The Commission notes that there are no changes to the rule text and no exhibit 5 was attached to the form 19b-4.

<sup>4</sup> See Exchange Act Release No. 60711 (September 23, 2009), 74 FR 49419 (September 28, 2009) (order approving SR-NYSEArca-2009-44).

<sup>5</sup> Index products would be included in the expansion if the underlying index level was under 200.

| Nat'l ranking | Symbol | Security name                                     | Nat'l ranking | Symbol | Security name                                    |
|---------------|--------|---------------------------------------------------|---------------|--------|--------------------------------------------------|
| 238           | BPOP   | Popular Inc                                       | 325           | NOV    | National Oilwell Varco Inc.                      |
| 248           | EK     | Eastman Kodak Co                                  | 326           | TWX    | Time Warner Inc.                                 |
| 252           | CNX    | Consol Energy Inc                                 | 327           | XOP    | SPDR S&P Oil & Gas Exploration & Production ETF. |
| 260           | DCTH   | Delcath Systems Inc                               | 328           | MYL    | Mylan Inc/PA.                                    |
| 274           | MTG    | MGIC Investment Corp                              | 329           | TSO    | Tesoro Corp.                                     |
| 277           | PXP    | Plains Exploration & Production Co                | 330           | CI     | CIGNA Corp.                                      |
| 278           | GPS    | Gap Inc/The                                       | 331           | ESI    | ITT Educational Services Inc.                    |
| 280           | TSL    | Trina Solar Ltd                                   | 332           | NKE    | NIKE Inc.                                        |
| 282           | EWV    | iShares MSCI Mexico Investable Market Index Fund. | 335           | FIS    | Fidelity National Information Services Inc.      |
| 283           | CRM    | Salesforce.com Inc                                | 336           | SUN    | Sunoco Inc.                                      |
| 286           | SWN    | Southwestern Energy Co                            | 338           | BBBY   | Bed Bath & Beyond Inc.                           |
| 287           | HBAN   | Huntington Bancshares Inc/OH                      | 340           | APWR   | A-Power Energy Generation Systems Ltd.           |
| 288           | EOG    | EOG Resources Inc                                 | 341           | FWLT   | Foster Wheeler AG.                               |
| 290           | APA    | Apache Corp                                       | 342           | LNC    | Lincoln National Corp.                           |
| 291           | VVUS   | Vivus Inc                                         | 343           | RSH    | RadioShack Corp.                                 |
| 292           | JDSU   | JDS Uniphase Corp                                 | 344           | TYC    | Tyco International Ltd.                          |
| 293           | ACI    | Arch Coal Inc                                     | 345           | CL     | Colgate-Palmolive Co.                            |
| 294           | NE     | Noble Corp                                        | 346           | FXP    | ProShares UltraShort FTSE/Xinhua China 25.       |
| 296           | BAX    | Baxter International Inc                          | 347           | NTAP   | NetApp Inc.                                      |
| 297           | ADSK   | Autodesk Inc                                      | 348           | SO     | Southern Co.                                     |
| 299           | KRE    | SPDR KBW Regional Banking ETF                     | 349           | PHM    | Pulte Group Inc.                                 |
| 300           | XL     | XL Group Plc                                      | 350           | HOT    | Starwood Hotels & Resorts Worldwide Inc.         |
| 302           | WLT    | Walter Energy Inc                                 | 351           | QLD    | ProShares Ultra QQQ.                             |
| 303           | IBN    | ICICI Bank Ltd                                    | 352           | VRSN   | VeriSign Inc.                                    |
| 305           | EWY    | iShares MSCI South Korea Index Fund.              | 353           | PCL    | Plum Creek Timber Co Inc.                        |
| 306           | WHR    | Whirlpool Corp                                    | 354           | NBR    | Nabors Industries Ltd.                           |
| 307           | BHI    | Baker Hughes Inc                                  | 355           | ESRX   | Express Scripts Inc.                             |
| 308           | KMP    | Kinder Morgan Energy Partners LP                  | 356           | ACAS   | American Capital Ltd.                            |
| 309           | MRO    | Marathon Oil Corp                                 | 357           | XLNX   | Xilinx Inc.                                      |
| 310           | AGO    | Assured Guaranty Ltd                              | 358           | DO     | Diamond Offshore Drilling Inc.                   |
| 311           | GIS    | General Mills Inc                                 | 359           | CMA    | Comerica Inc.                                    |
| 312           | ANR    | Alpha Natural Resources Inc                       | 360           | KEY    | KeyCorp.                                         |
| 314           | GENZ   | Genzyme Corp.                                     |               |        |                                                  |

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with and furthers the objectives of Section 6(b)(5) of the Act, in that it is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest, by identifying the options classes to be added to the Pilot in a manner consistent with prior approvals and filings.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

No written comments were solicited or received with respect to the proposed rule change.

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change is effective upon filing pursuant to Section 19(b)(3)(A)(i) <sup>6</sup> of the Act and Rule 19b-4(f)(1) <sup>7</sup> thereunder, in that it constitutes a stated policy, practice, or interpretation with respect to the meaning, administration, or enforcement of an existing rule of the Exchange. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily

abrogate such rule change if it appears to the Commission that the action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEArca-2010-70 on the subject line.

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A)(i).

<sup>7</sup> 17 CFR 240.19b-4(f)(1).

*Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington DC 20549-1090.

All submissions should refer to File Number SR-NYSEArca-2010-70. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at NYSE Arca's principal office and on its Web site at <http://www.nyse.com>. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR-NYSEArca-2010-70 and should be submitted on or before August 31, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>8</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. 2010-19603 Filed 8-9-10; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-62637; File No. SR-CBOE-2010-072]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to PULSe Fees

August 4, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on July 30, 2010, the Chicago Board Options Exchange, Incorporated ("CBOE" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by CBOE. The Exchange has designated this proposal as one establishing or changing a due, fee, or other charge imposed by CBOE under Section 19(b)(3)(A)(ii) of the Act<sup>3</sup> and Rule 19b-4(f)(2) thereunder.<sup>4</sup> The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange is proposing to amend its fees schedule. The text of the proposed rule change is available on the Exchange's Web site <http://www.cboe.org/legal>, at the Exchange's Office of the Secretary and at the Commission.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, CBOE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. CBOE has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements

#### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, Proposed Rule Change

##### 1. Purpose

The purpose of this proposed rule change is to extend waivers of certain fees relating to the use of the PULSe order entry workstation and to make a technical correction to the numbering of the text in the fees schedule.

The PULSe workstation is a front-end order entry system designed for use with respect to orders that may be sent to the trading systems of CBOE and CBOE Stock Exchange ("CBSX").<sup>5</sup> In conjunction with the launch of the PULSe workstation, the Exchange waived various fees. To continue to encourage users, the Exchange has now determined to extend the waivers of certain fees. In particular, currently the monthly PULSe workstation fee to members—\$350 per workstation per month for the first 10 PULSe workstations and \$100 per workstation per month for each additional PULSe workstation—has been waived through July 30, 2010. The Exchange is proposing to extend the waiver of this monthly fee through September 30, 2010. Thus, this fee will be assessed beginning October 1, 2010. Currently the Exchange has also waived the away-market routing fee to the entering member—\$0.10 per executed options contract (or equivalent share amount in the case of stock) for away-market routing of orders through the PULSe workstation—through July 30, 2010. The Exchange is proposing to extend this waiver through September 15, 2010. Thus this fee will be assessed beginning September 16, 2010.

Finally, the Exchange is proposing to make a technical change to its fees schedule. The paragraph in the fees schedule pertaining to the PULSe workstation was unintentionally numbered as subparagraph G), when there already exists a subparagraph G). To correct that numbering error, the PULSe workstation subparagraph is being renumbered as subparagraph H).

##### 2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,<sup>6</sup> in general, and furthers the objectives of Section 6(b)(4)<sup>7</sup> of the Act in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among CBOE

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>4</sup> 17 CFR 240.19b-4(f)(2).

<sup>5</sup> See Securities Exchange Act Release No. 62286 (June 11, 2010), 75 FR 34799 (June 18, 2010) (SR-CBOE-2010-051).

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(4).

<sup>8</sup> 17 CFR 200.30-3(a)(12).